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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/006,519	12/03/2001	Kevin G. Jiang	10559-003003 / P6716D2	4151

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EXAMINER

BUI, HUNG S

ART UNIT	PAPER NUMBER
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2841

DATE MAILED: 09/12/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/006,519

Applicant(s)

JIANG, KEVIN G. *mc*

Examiner

Hung S Bui

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 15-17 and 21-24 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 15-17 and 21-24 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____.
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claim 23 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claim 23, in line 2, there is no antecedent basis for "the base."

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 15-17 are rejected under 35 U.S.C. 102(b) as being anticipated by Smithson et al. [US 5,654,873].

Regarding claims 15-17, Smithson et al. disclose a disk drive assembly including an electromagnetic interference shield (figure 2) comprising:

- a frontal plate (203) having a plurality of openings therethrough;
- a side panel (figure 2) perpendicular to the frontal plate and extending rearwardly thereof; and

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- at least one electrically conductive resilient spring finger clip (figure 2) protruding in a lateral direction from the side panel.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claim 21 is rejected under 35 U.S.C. 103(a) as being unpatentable over Smithson et al. in view of Gamble et al. [US 6,166,901].

Regarding claim 21, Smithson et al. disclose the instant claimed invention except for the being disposed between a latching mechanism and a base of a disk drive carrier.

Gamble et al. disclose a disk drive carrier (15, figure 1) having a base (21) and a latching mechanism (29).

It would have been obvious to a person having ordinary skill in the art at the time invention was made to use the carrier design of Gamble et al. for the disk drive of Smithson et al., for the purpose of providing support for the disk drive.

7. Claim 22 is rejected under 35 U.S.C. 103(a) as being unpatentable over Smithson et al. in view of Anderson et al. [US 6,058,016].

Regarding claim 22, Smithson et al. further disclose the frontal plate having a top and bottom edges, the side panel having top and bottom edges and an upper plate connecting the top edge of the frontal plate to the top edge of the side panel (figure 6a).

Smithson et al. disclose the instant claimed invention except for the electromagnetic interference shield having lower plate connecting the bottom edge of the frontal plate to the bottom edge of the side panel.

Anderson et al. disclose an EMI shielding plate (40) having upper and lower plates extending from the top and bottom edges of a frontal panel (figure 3).

It would have been obvious to a person having ordinary skill in the art at the time invention was made to add the lower plate to the frontal plate of Smithson et al., as suggested by Anderson et al., for the purpose of strengthening the shielding structure.

8. Claim 23 is rejected under 35 U.S.C. 103(a) as being unpatentable over Smithson et al. as applied to claim 22 above, and further in view of Gamble et al. and Anderson et al.

Regarding claim 23, Smithson et al., as modified, disclose the instant claimed invention except for the upper and lower plates of the shield being configured to permit the shield to be mounted to the carrier base.

It would have been obvious to a person having ordinary skill in the art at the time invention was made to have the shield be configured to permit the shield to be mounted to the carrier base for the purpose of enabling the shield to fix within the carrier.

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9. Claim 24 is rejected under 35 U.S.C. 103(a) as being unpatentable over Smithson et al. in view of Gamble et al. and Anderson et al.

Regarding claim 24, Smithson et al. disclose a disk drive assembly including an electromagnetic interference shield (figure 2) comprising:

- a frontal plate (203) having a plurality of openings therethrough;
- a side panel (figure 2) perpendicular to the frontal plate and extending rearwardly thereof; and
- at least one electrically conductive resilient spring finger clip (figure 2) protruding in a lateral direction from the side panel.

Smithson et al. further disclose the frontal plate having a top and bottom edges, the side panel having top and bottom edges and an upper plate connecting the top edge of the frontal plate to the top edge of the side panel (figure 6a).

Smithson et al. disclose the instant claimed invention except for the being disposed between a latching mechanism and a base of a disk drive carrier and the electromagnetic interference shield having lower plate connecting the bottom edge of the frontal plate to the bottom edge of the side panel.

Gamble et al. disclose a disk drive carrier (15, figure 1) having a base (21) and a latching mechanism (29).

It would have been obvious to a person having ordinary skill in the art at the time invention was made to use the carrier design of Gamble et al. for the disk drive of Smithson et al., for the purpose of providing support for the disk drive.

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Anderson et al. disclose an EMI shielding plate (40) having upper and lower plates extending from the top and bottom edges of a frontal panel (figure 3).

It would have been obvious to a person having ordinary skill in the art at the time invention was made to add the lower plate to the frontal plate of Smithson et al., as suggested by Anderson et al., for the purpose of strengthening the shielding structure.

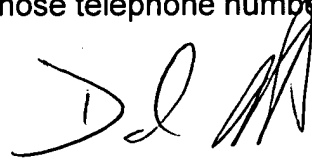
Conclusion

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure: Gotzfried et al. [US 6,236,570].

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hung S Bui whose telephone number is (703) 305-8024. The examiner can normally be reached on Monday-Friday 8:30AM-6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David S. Martin can be reached on (703) 308-3121. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 308-7722 for regular communications and (703) 308-7724 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-0956.



DAVID MARTIN
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HB
8/1/02